



Greater Ottawa Home Builders' Association
Association des constructeurs d'habitations d'Ottawa

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May 8, 2023

EA Modernization Project Team
Environmental Assessment Modernization Branch
135 St Clair Ave West 4th Floor
Toronto, ON M4V 1P5

Re: ERO 019-4219 Moving to a Project List Approach Under the Environmental Assessment Act

To Whom It May Concern,

Please accept the below from the Greater Ottawa Home Builders' Association (GOHBA) and its members as a submission to the government's request for feedback on 'Moving to a Project List Approach Under the Environmental Assessment Act' (ERO 019-4219).

We support the comments made by the Ontario Home Builders' Association on this issue and their comments on the original posting of this notice in January of 2022 (a copy of which can be found in Attachment 1), and our submission should be considered as a complement to theirs.

GOHBA supports the Ministry consideration of a much more focused environmental approval process for infrastructure-related projects: rail, multi-lane highways, electricity transmission, and waterfront projects. These initial areas of focus will help ensure that critical transportation and utility infrastructure move ahead in a timely fashion. These types of infrastructure projects underpin housing supply and will help home buyers save time and money, while ensuring more predictability for project proponents.

GOHBA also supports the Ministry initiative as it results in thresholds that match related Federal requirements for thresholds of project size and description. Such matching of requirements simplifies the requirements for all development thus making projects much easier to complete as a result of a single process.

The updates proposed in the March 10, 2023 posting eliminate specific limitations on the size/scale of a project that would be subject to a streamlined process. GOHBA supports the use of a streamlined EA process that would provide for consistency of approach for these types of projects, like those adopted in the various Class EA's. Once a process is established, it allows proponents to move forward with certainty. This will result in improved timelines.

In the Ottawa context, the provision for a streamlined EA Process for transmission lines will support the City of Ottawa's needs to meet the provincial targets for housing and the City's pledge to deliver these units.

Ottawa Road / "Highway" 174

For local expressway transportation projects, the use of the already accepted MTO Class EA process is supported by GOHBA, except for one outlier: Ottawa Road 174.

The City currently plans for this within its Transportation Master Plan and improvements are reviewed using the MCEA process. While the MTO Class EA is a well understood protocol that has provided positive results when used in the City for provincial facilities, the extension to the local context may result in a need for work that has already been undertaken through other processes. As noted above there are already two processes to review any changes that may be proposed for this highway.

Should the amendment result in the inclusion of Municipal Expressways in the City of Ottawa (it would apply to the 174) without significant consideration of the local Transportation Master Plan (TMP) process within this context there would be a resulting duplication of process. This would also be a replacement of the Municipal Class EA that is currently required for this type of project. The TMP is developed using extensive consultation processes, an environmental lens, direct linkage to the Municipal Official Plan process and should be clearly identified as being a significant part of the streamlined EA process. Without recognition of all the time and level of effort required to complete these various existing processes within the EA process the result will be a complete reiteration of the TMP, thus not meeting the very intent of the introduction of a streamlined EA.

The simple elimination of the reference to Section 4.4 of the MTO process would not be sufficient in this situation as the TMP has already undertaken many of the steps of a typical Group B, C or D MTO Class EA, not just the pre-planning efforts. The requirements for the development of a new expressway are identified as being a separate process and that would be appropriate as a Group A project that may require additional study.

The initial background study from 2021 had proposed that there would not be a duplication of processes. If a project is not subject to the MTO Class EA it would have been referred to the Municipal Class EA Process (page 12). This exemption would be preferred to be continued for all projects at the City of Ottawa for an existing expressway as the planning processes are already well established.

GOHBA assumes that the Ministry will continue its review of the MCEA recognizing local processes that meet the intent of the MTO Class EA and MCEA processes. We do note that the referencing to the level of recognition of TMP's remains an opportunity for the Ministry to ensure that a true streamlining is found because of these amendments.

Conclusion

As per the OHBA's comments from January 2022, we request that the *MECP* expedite the *Municipal Class EA* updates that are currently being finalized and proposed to be issued prior to moving to a project list approach. This together with the proposed amendments will particularly assist with eliminating process duplication which we feel will expedite the delivery of homes beginning this year.

Thank you for the opportunity to comment on this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jason Burggraaf", is written over a faint, light blue rectangular background.

Jason Burggraaf
Executive Director

Attachment # 1

Ontario Home Builders Association Comments on EBR Posting: 019-4219 January 25, 2022

The Ontario Home Builders' Association (OHBA) appreciates the opportunity to provide comments regarding the Environmental Registry (ERO) posting # 019-4219. We understand that the purpose of this initiative is to provide clarification by the Ministry of Environment Conservation and Parks (MECP) by moving to a list of projects under the Environmental Assessment Act (EAA) that require a comprehensive Class Environmental Assessment (EA). The ERO posting does indicate that this will be implemented subsequently by regulation.

OHBA continues to support provincial actions which streamline processes and approvals to facilitate the implementation of infrastructure required to support housing availability in the province. This initiative represents the province's ongoing work to modernize the environmental assessment program. OHBA has been working closely with MECP staff on a continual basis in this regard to gain efficiencies in the approval processes that promote housing choice for residents of Ontario.

OHBA understands that the current intent of the MECP initiative is to propose regulations to move to a project list approach which was first made in July 2020 when the EAA was amended under the COVID-19 Economic Recovery Act, 2020, along with many other proposed changes to modernize the EAA. The project list approach means that projects that require a comprehensive EA (previously known as an individual EA) will be listed in the regulation rather than being based mainly on who is proposing the project. Further, OHBA understands the motivation for a project list approach is to better align with those of other jurisdictions in Canada and help bring in line some thresholds with those of the Federal Government in certain sectors.

Pending approval of these proposed regulatory changes, most project types that currently require a comprehensive EA will continue to need one, but some projects would instead follow a more streamlined process. As outlined in the ERO posting, the MECP is proposing that a number of projects would move to a project list approach where a complete Comprehensive EA would be required prior to implementation.

As OHBA understands these relate to projects including electrical transmission stations, hydroelectric and generating facilities, and transmission lines; waste management including landfill sites, changing a landfill to increase the total waste disposal volume, and excavations that could increase the total waste disposal volume; hazardous or liquid industrial waste, and advanced recycling projects; transit, highway, railway, and waterfront initiatives. The preparation and circulation of such a project list as soon as possible is of importance to our industry and consulting team. OHBA encourages the MECP to finalize the project list for review and input by our industry representatives.

In general, OHBA feels that the streamlining of processes related to projects that would require a complete and comprehensive Class EA would be of benefit to the development industry. Alternatively, the approval processes for those infrastructure projects that would follow a more streamlined approach would certainly support certain industry initiatives. OHBA requests to continue its communications with the MECP in this regard as part of the upcoming Class EA modification discussions, particularly regarding the integration with planning processes and the private sector's implementation of typical projects subject to the Class EA process. The list needs to be developed and finalized expeditiously and we encourage MECP staff to conclude the necessary work without delay.

In this regard, OHBA requests that the MECP expedite the Municipal Class EA updates that are currently being finalized and proposed to be issued prior to moving to a project list approach. This together with the proposed amendments will particularly assist with eliminating process duplication which we feel will expedite the delivery of homes beginning this year.

OHBA looks forward to the continuation of its working relationship and discussions with MECP staff to gain efficiencies related to the necessary approval processes to project implementation and the delivery of housing supply. OHBA appreciates the opportunity to comment at this time.